

Article - Health - General

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§7.5–402.

- (a) Regulations adopted under this subtitle shall include:
 - (1) The requirements for licensure of a behavioral health program;
 - (2) The process for a behavioral health program to apply for a license;
 - (3) A description of the behavioral health programs that are required to be licensed;
 - (4) Any requirements for the governance of a behavioral health program, including:
 - (i) A provision prohibiting a conflict of interest between the interests of the provider and those of the individual receiving services;
 - (ii) A provision authorizing a behavioral health program licensed as an outpatient mental health center to satisfy any regulatory requirement that the medical director be on site through the use of telehealth by the director; and
 - (iii) A provision authorizing a psychiatric nurse practitioner to serve as a medical director of an outpatient mental health center accredited in accordance with COMAR 10.63.03.05, including through telehealth;
 - (5) Provisions for inspections of a behavioral health program, including inspection and copying of the records of a behavioral health program in accordance with State and federal law; and
 - (6) Provisions for denials, sanctions, suspensions, and revocations of licenses, including imposition of civil monetary penalties, and notice and an opportunity to be heard.
- (b) (1) The Secretary may require a behavioral health program to be granted accreditation by an accreditation organization approved by the Secretary under Title 19, Subtitle 23 of this article as a condition of licensure under regulations adopted under this subtitle.

(2) By becoming licensed in accordance with paragraph (1) of this subsection, a program agrees to comply with all applicable standards of the accreditation organization.

(c) Regulations adopted under this subtitle may include provisions setting reasonable fees for applying for a license and for the issuance and renewal of licenses.

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